

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

NATIONAL RAILROAD PASSENGER
CORPORATION (AMTRAK),

Plaintiff,

v.

.025 ACRES MORE OR LESS OF LAND
LOCATED AT 2034 WEST LANVALE
ST., *et al.*,

Defendants.

CIVIL NO. JKB-24-0408

* * * * *

MEMORANDUM AND ORDER

In this condemnation action, Amtrak, pursuant to 49 U.S.C. § 24311, has acquired 2034 West Lanvale Street, Baltimore, Maryland. The Court held a hearing regarding the just compensation for the property and issued an Order setting such just compensation at \$53,600. (ECF No. 42.) Amtrak has deposited funds totaling \$53,600, which have been held in an interest-bearing account in the registry of the Court. (*See* ECF No. 7.)

The Court concludes that it has jurisdiction over all appearing and non-appearing Defendants, given the nature of this action and that all Defendants have been served by Amtrak. (*See* ECF Nos. 14, 20, 27 (status reports detailing service of process on Defendants).) Further, the time for filing motions for disbursement has passed. As provided in 49 U.S.C. § 24311(b)(4), “[o]n application of a party, the court may order immediate payment of any part of the amount deposited in the court for the compensation to be awarded.” Federal Rule of Civil Procedure 71.1(c)(4) provides that “[t]he court [] may order any distribution of a deposit that the facts warrant.”

The only Defendant that has filed a Motion for Disbursement is the Mayor and City Council of Baltimore City (the “City”). (ECF No. 39.) The City seeks a disbursement of \$15,838.43 plus

accrued interest. (*Id.*) The City explains that it is the lienholder for unpaid liens on 2034 West Lanvale Street. (ECF No. 39-1.) It provides an affidavit from Edward Scrivener, Delinquent Accounts Manager for the City of Baltimore Bureau of Revenue Collections of the Department of Finance, in which he “attest[s] and affirm[s] that a search of the City tax lien record” reflects that \$15,838.43 is due and owing to the City. (ECF No. 39-2.) Attached to the affidavit is documentation supporting this figure. (*See* ECF No. 39-2 at 3–7.) The Court finds that, upon the facts in the record, a distribution to the City of \$15,838.43 plus a corresponding percentage of the accrued interest is appropriate.

In its Motion for Summary Judgment, Amtrak explains that it added \$1,000 to the just compensation for the property to account for redeeming the ground rent. (ECF No. 32-1 at 3–4.) Amtrak will be directed to advise the Court regarding the distribution of the \$1,000 relating to the redemption of the ground rent.

Accordingly, it is ORDERED that:

1. The City’s Motion for Disbursement of Funds (ECF No. 39) is GRANTED.
2. The Clerk is DIRECTED to issue and mail the following check to the City:
 - a. \$15,838.43 plus 29.55% of the accrued interest, payable to the Director of Finance, and mailed to the attention of Thomas P.G. Webb, Esq., Baltimore City Law Department, 100 N. Holliday Street, City Hall – Room 101, Baltimore, Maryland 21202.
3. Amtrak is DIRECTED to advise the Court regarding the distribution of the \$1,000 relating to the property’s ground rent within two weeks of this Order.

DATED this 6 day of November, 2024.

BY THE COURT:

A handwritten signature in blue ink, reading "James K. Bredar", is written over a horizontal line.

James K. Bredar
United States District Judge